



Committee on Agriculture, Conservation, and Forestry  
c/o Legislative Information Office  
100 State House Station  
Augusta, ME 04333

March 4, 2021

**RE: LD 324, An Act To Limit Public Land Ownership in Maine**

Dear Senator Dill, Representative O’Neil, and Members of the Committee:

Thank you for the opportunity to share testimony in opposition to LD 324, An Act To Limit Public Land Ownership in Maine, on behalf of Maine Audubon and our 30,000 members and supporters.

LD 324 would limit the amount of publically owned land in the State to no more than 33% of the total land area of the State and 50% of the land area in any county, and allows the State or a municipality to exceed this limit with the approval of two-thirds of the Maine Legislature. For the purposes of this bill, “publically owned land” includes land owned in fee or held under easement by the Federal Government, the State, or a municipality, including lands subject to development or trust rights, or other ownership interests.

Maine Audubon opposes this bill because it does not address an articulable problem. The process for acquiring and designating public lands in Maine is deliberate and transparent, with ample opportunity for public input, as well as review by state agencies, municipalities, and legislators. The process for acquiring properties through the Land for Maine’s Future program (LMF), a land conservation funding program that touches the majority of public lands in the State, is a good example. LMF bonds require a two-thirds vote by the Legislature, then must be ratified by a majority of Maine voters. Land conservation projects then apply for available funding to the LMF Board, whose deliberations are public and who require municipal approval prior to awarding funds. Plainly, in order for the majority of public land to come to be in Maine, it must face significant, repeated public scrutiny.

Maine Audubon opposes this bill because public lands are beneficial to the state and local economies through tax revenue and job creation, including forestry, agriculture, working waterfronts, and outdoor recreation-based jobs. Working forest easements keep more than two million acres of forestland in production, while allowing public access for hunting, fishing, and other traditional outdoor activities. Over 45,000 acres of productive Maine farmland and associated woodlots are held in easement, allowing farmers to stay on their land and provide affordable opportunities for a new generation of farmers. Still more “public lands” hold commercial fishing wharves and provide access to clam flats that are vital to Maine’s marine fisheries and aquaculture industries. Maine’s outdoor recreation economy generates 40,000 direct jobs and \$548 million in state and local tax revenue, much of which is driven by access to these public lands. Particularly during this pandemic, public lands of all kinds saw an even higher level of use, providing safe

spaces for people to recreate, watch wildlife, socialize, and rejuvenate. Plainly, “public lands” are good for the economy and the Maine way of life.

Maine Audubon opposes this bill because it limits opportunities for landowners that may wish to sell or donate their land or a conservation easement if the state or their county has reached its limit. Selling easements can be a lucrative funding option for compromised landowners or landowners seeking a new source of revenue from a given parcel to keep it in active forestry, agriculture, or other undeveloped use. Similarly, the bill imposes state legislative control on municipalities that may wish to acquire land for any number of purposes, including to build a new school, a community center, or a playground.

Most importantly, Maine Audubon opposes this bill because it sets an arbitrary limit on public lands that preserve older forests, fragile wetlands, rare plant communities, and important wildlife habitat for vulnerable species. Public lands are elemental to conserving biodiversity, as well as iconic species like Atlantic salmon, wild brook trout, moose, and deer. Often, land conservation decisions are guided by public benefit—by demonstrating that conserving a particular parcel will help maintain water quality of a public drinking water source, for example. Capping public lands without articulable reason is counter to serving the public good.

For these reasons and more, Maine Audubon opposes LD 324 and encourages the Committee to do the same.

Sincerely,

A handwritten signature in cursive script that reads "Eliza Donoghue".

Eliza Donoghue, Esq.  
Director of Advocacy